

Message Text

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PAGE 01 BRUSSE 06558 041748Z
ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 PM-05 INR-10 L-03 ACDA-12
NSAE-00 PA-01 SS-15 SP-02 ICA-11 TRSE-00 DODE-00
/072 W

-----105893 050719Z /21

R 041744Z APR 78
FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC 5844
INFO ALL EC CAPITALS
USMISSION USNATO
USNMR SHAPE

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USEEC

SHAPE FOR POLAD

E.O. 11652: N/A
TAGS: EEC, ETRD
SUBJECT: EC IMPORT DUTIES ON MILITARY EQUIPMENT

REF: 77 BRUSSELS 3375 AND PREVIOUS

1. DAVIGNON AIDE HAS TOLD MISSION OFFICER THAT DAVIGNON WILL SEEK A MEETING WITH THE MEMBER STATES WITHIN THE MONTH TO DISCUSS THE ISSUE OF EC IMPORT DUTIES FOR MILITARY EQUIPMENT. ACCORDING TO SOURCE, THIS MEANS THAT FOR THE MOMENT AT LEAST THE COMMISSION WILL TRY TO AVOID A HEAD ON CLASH WITH THE MEMBER STATES WHICH WOULD HAVE BEEN THE LIKELY RESULT OF AN ADMINISTRATIVE PROCEDURE AGAINST THOSE STATES UNILATERALLY EXEMPTING SUCH IMPORTS FROM DUTIES.

2. COMMISSION POSITION REMAINS BASED ON TWO CONTENTIONS:
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FIRST, THAT THE APPLICATION DOES NOT DIMINISH THE PROTECTION OF ESSENTIAL SECURITY INTERESTS OF THE MEMBER STATES (AND CONSEQUENTLY ARTICLE 223 OF THE ROME TREATY DOES NOT APPLY TO THESE IMPORTS); SECONDLY, IF FOR WHATEVER REASONS MEMBER STATES DO WISH TO EXEMPT CERTAIN IMPORTS FROM DUTIES THEY MUST DO IT THROUGH A UNANIMOUS COUNCIL DECISION AS REQUIRED BY ARTICLE 28.

3. SOURCE ADDED THAT THE COMMISSION DOES NOT BELIEVE THAT THE JUSTIFICATIONS GIVEN BY THE MEMBER STATES THUS FAR ARE ADEQUATE, BUT IT IS RELUCTANT TO START TREATY INFRAC-TION PROCEEDINGS OVER SUCH A SENSITIVE ISSUE. MORRIS

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: IMPORTS, MILITARY EQUIPMENT
Control Number: n/a
Copy: SINGLE
Draft Date: 04 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Film Number: D780146-0838
Format: TEL
From: BRUSSELS EEC
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780497/aaaaddy.tel
Line Count: 67
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 34bc09b7-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Handling Restrictions: n/a
Reference: 77 BRUSSELS 3375
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TAGS: ETRD, US, EEC
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/34bc09b7-c288-dd11-92da-001cc4696bcc
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